

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

JAMES COLLITON,

Plaintiff,

v.

CRAVATH, SWAINE & MOORE LLP,

Defendant.

ECF CASE

No. 08 Civ. 0400 (NRB)

**REPLY MEMORANDUM IN SUPPORT OF DEFENDANT'S
MOTION FOR SANCTIONS PURSUANT TO RULE 11**

Stuart W. Gold
Robert H. Baron
CRAVATH, SWAINE & MOORE LLP
825 Eighth Avenue
New York, NY 10019
(212) 474-1000

Defendant pro se

June 3, 2008

Defendant Cravath, Swaine & Moore LLP ("Cravath") submits this reply memorandum in support of its motion for sanctions.

ARGUMENT

Plaintiff has violated Rule 11 by making demonstrably false and frivolous allegations intended solely to harass Cravath and extort a settlement. Despite his claims (Opp. at 34), the Amended Complaint is plainly contradicted by the original, verified Complaint (Mem. at 2-3). He does not deny that it is contradicted by his contemporaneous employment letter. (See id.) And he effectively admits that its allegations of discrimination and criminal, fraudulent, and unethical conduct -- which are wholly irrelevant to his claims (MTD Reply at 6-8, 10-13) -- were made in retaliation for Cravath "labeling [him] unclean" (Opp. at 35). He has violated Rule 11 and should be sanctioned. (Mem. at 6.)

CONCLUSION

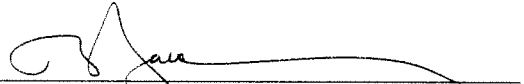
For the foregoing reasons and those in its opening Memorandum, Cravath respectfully requests that the Court sanction Plaintiff for his misconduct.

June 3, 2008

Respectfully submitted,

CRAVATH, SWAINE & MOORE LLP,

by



Stuart W. Gold (SG-1291)
Robert H. Baron (RB-3765)
Members of the Firm

Worldwide Plaza
825 Eighth Avenue
New York, NY 10019
(212) 474-1000
sgold@cravath.com
rbaron@cravath.com

Defendant pro se

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CERTIFICATE OF
SERVICE

KEITH S. KAPLAN hereby certifies the following
under the penalties of perjury:

I am over the age of 18 years, not a party to
this action and reside at 670 Ramapo Rd., Teaneck, NJ 07666.

On the 3rd day of June, 2008, I served

**REPLY MEMORANDUM IN SUPPORT OF DEFENDANT'S MOTION FOR
SANCTIONS PURSUANT TO RULE 11**

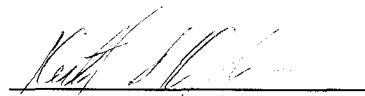
**REPLY MEMORANDUM IN SUPPORT OF DEFENDANT'S MOTION TO DISMISS
THE AMENDED COMPLAINT**

upon

James Colliton
28 Millbank Road
Poughkeepsie, NY 12603

by delivering a true copy of the aforementioned documents to
an overnight courier for next day delivery, to wit,
Wednesday, June 4, 2008.

Dated, this 3rd day of June, 2008, at New York,
New York.


Keith S. Kaplan